

SENATE BILL 1409  
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10  
and Title 3, Chapter 6, relative to lobbying of certain public  
officials and employees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 3-6-104(a), is amended by adding  
the following:

When a person registers, the provisions of Section 3-6-114 shall apply to such  
lobbyist for the remainder of the registration year.

SECTION 2. Tennessee Code Annotated, Section 3-6-104(b), is amended by deleting  
the second sentence in its entirety.

SECTION 3. Tennessee Code Annotated, Section 3-6-104(d), is amended by deleting  
the introductory clause and subdivision (1) and substituting instead the following:

(d) A person need not register with the registry of election finance pursuant to  
this section and the reporting requirements and prohibitions of this chapter do not apply  
if the person is:

(1) A person holding a state or local public office who is performing the  
duties of the office;

Tennessee Code Annotated, Section 3-6-104(d), is further amended by adding the  
following new subdivision:

(4) A state or local public employee or employee of a state educational  
institution who is performing the duties of the position;

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SECTION 4. Tennessee Code Annotated, Section 3-6-106, is amended by deleting subsection (c) in its entirety.

SECTION 5. Tennessee Code Annotated, Section 3-6-114(b)(9), is amended by deleting from the first sentence the language “two (2) or more senatorial districts” and substituting instead the language “one (1) or more senatorial districts”.

Tennessee Code Annotated, Section 3-6-114(b)(9), is further amended by inserting between the words “or” and “beverages” wherever they may appear the word “entertainment”.

SECTION 6. Tennessee Code Annotated, Section 3-6-114(b)(9), is amended by designating the existing language as subdivision (A) and by adding the following new subdivision:

(B) In calculating the limits established by subdivision (A), sales tax and gratuity are excluded.

SECTION 7. Tennessee Code Annotated, Section 3-6-114(b)(8), is amended by deleting the language “reimbursed, or sponsored by” and substituting instead the language “or reimbursed by”.

SECTION 8. Tennessee Code Annotated, Section 3-6-114(b)(6)(A), is amended by inserting between the words “or” and “specified” the language “to all state employees and officials, or to all members of an association of such employees and officials, or to”.

SECTION 9. Tennessee Code Annotated, Section 3-6-114(b)(7), is amended by deleting the language “when customarily provided as a courtesy to all candidates for an office or public officials of similar rank in the event’s jurisdiction” and substituting instead the language “when customarily provided as a courtesy to all candidates for an office or state or local public officials in the event’s jurisdiction”.

SECTION 10. Tennessee Code Annotated, Section 3-6-114(b), is amended by adding the following new subdivisions:

(10) Travel expenses for intrastate travel for which no fare is ordinarily charged;

(11) Travel expenses for intrastate travel which would otherwise be reimbursable;

(12) Food, refreshments, meals, foodstuffs, entertainment, beverages or intrastate travel expenses that are provided in connection with an event where the candidate for public office, an official in the legislative branch or an official in the executive branch or immediate family member of such candidate participates in a meaningful way as part of a program or panel presentation to an established or recognized membership organization which has regular meetings or as part of a program that is open to the public.

(13) A gift where a candidate for public office, an official in the legislative branch or an official in the executive branch or immediate family member of such candidate is hosting a group in his or her official capacity and the gift involved is not of substantial value and is customary for such events.

(14) Food, refreshments, meals, foodstuffs, entertainment, or beverages that are provided in connection with a public event or a meeting where the media may attend to which written invitations are extended to the governor and/or members of the governor's cabinet.

(15) Health care services.

(16) Customary holiday or special occasion greetings which have no substantial value.

SECTION 11. Tennessee Code Annotated, Section 3-6-114, is amended by deleting subsection (a) and substituting instead the following:

(a)(1) No registered lobbyist or employer of a registered lobbyist may provide a gift, directly or indirectly, to a candidate for public office, official in the legislative branch, official in the executive branch, or immediate family of such candidate or official.

(2) A candidate for public office, an official in the legislative branch, or an official in the executive branch, or immediate family of such candidate or official may not solicit

or accept directly or indirectly a gift from a registered lobbyist or an employer of a registered lobbyist.

SECTION 12. Tennessee Code Annotated, Section 3-6-102, is amended by deleting subsection (15) and substituting instead the following:

“Official in the executive branch” means the governor, any member of the governor’s staff or cabinet, any member of a state regulatory commission, including but not limited to the Tennessee regulatory authority, or any assistant commissioner or deputy commissioner;

SECTION 13. Tennessee Code Annotated, Section 3-6-102, is amended by deleting subsection (16) and substituting instead the following:

“Official in the legislative branch” means any member or member-elect of the general assembly or any member of a committee or commission established by and responsible to the general assembly or either house thereof who takes legislative action. “Official in the legislative branch” also includes the secretary of state, treasurer, and comptroller of the treasury.

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it.

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